

Remarks

Regarding the Information Disclosure Statement, the Examiner has apparently not considered USP 5,509,214. A handwritten note on the Information Disclosure Statement indicates that the reference is withdrawn for being unavailable to the Examiner. Since the patent is currently available on the PTO website, the applicant suspects that the Examiner may have had trouble reading the applicant's handwriting of the patent number. If that is the case, the applicant sincerely apologizes for his sloppiness and requests that the Examiner consider the reference.

By this amendment, apparatus claims 16 – 22 have been canceled just to simplify and expedite the prosecution of the application; however, the applicant reserves his right to argue their patentability later if necessary. Claims 11 – 14, 23 and 24 have been withdrawn from consideration. Claims 1 – 10 and 15 remain in the application.

Claims 1 – 10, and 15 have been rejected under 35 USC 103(a) for being unpatentable over Le USP 4,789,287 in view of Dickerson et al USP 4,232,880. The Examiner states that Dickerson teaches a sleeve 44 with an oblong hole.

The applicant, however, respectfully disagrees with the Examiner. Dickerson refers to his hole as being eccentric, not oblong. By "eccentric," Dickerson means that the hole is offset relative to the outside diameter of sleeve 44. More specifically, hole 52 of Dickerson is eccentric because central axis 54 of aperture 52 is radially offset to central axis 56 of outer surface 48. The applicant's claim 1 specifically recites an oblong opening which neither Le nor Dickerson discloses.

Regarding the rejection of claim 2 specifically, the applicant claims varying the radial distance between the sleeve's longitudinal centerline and the cam's longitudinal centerline (see claim 2 and lines 46 and 48 of Figs. 3 and 4). Dickerson appears to teach a fixed radial offset between lines 54 and 56. As for Le, distance "e" also appears to be a constant value (see Le, Figure 8)

Regarding the rejection of claim 3, the Le fastener would appear to be inoperative if its opposite heads could not be tightened toward each other.

Regarding the rejection of claim 4, the Examiner points out that Le discloses a sleeve with a full-length slit. The applicant, however, discloses a sleeve that can be radially expanded along its full length.

Regarding the rejection of claim 5, the applicant claims a shaft that moves toward the slit. The Examiner has not pointed out where Le or Dickerson discloses such a limitation.

Regarding the rejection of claims 6 and 7, the Examiner points out that a handle could be attached to either end; however, since Le and Dickerson already provide means for tightening their devices, there is no suggestion to modify the Le or Dickerson devices in such a manner.

Regarding the rejection of claim 8, the Examiner states that 90-degrees is an incline and an angle. Although, in geometry, 90-degrees may be considered an angle, Webster defines "incline" as "to deviate from a horizontal or vertical position." Dickerson discloses a tapered surface, but there is no suggestion to modify Le in such a manner.

Claim 9 has been objected to under 37 CFR 1.75 as being a substantial duplicate of claim 3. The applicant disagrees with the objection because claim 3 recites two parts that are a fixed distance apart from each other, and claim 9 recites two parts that are substantially fixed relative to each other. There is a significant difference between the two. In claim 3, the two ends are a fixed distance apart; however, the two ends could still move relative to each other. One end, for example, could rotate relative to the other just as two rear wheels of a cart are a fixed distance apart, but they are free to rotate independently. In claim 9, however, the two ends cannot move relative to each other axially, radially or rotationally.

For the above-listed reasons, the applicant submits that the applicant's claims 1 – 10 and 15 are neither anticipated nor obvious in view of the cited art. Thus, the examiner is respectfully requested to enter the amendments and allow claims 1 – 10 and 15.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert J. Harter', written in a cursive style.

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